

## REMARKS

This is intended as a full and complete response to the Final Office Action dated February 25, 2004, having a shortened statutory period for response set to expire on May 25, 2004. Please reconsider the claims pending in the application for reasons discussed below.

Claims 15-16, 26-28, 30-41, 43, and 45-48 remain pending in the application and are shown above. Applicant has added new claims 49-58. Claims 42 and 44 have been cancelled by Applicant. Claims 15, 16, 26-28, 30-41, 43, and 45-48 are rejected by the Examiner. Claims 15, 26-27, 31, 33, 36-40, 43, and 45 are amended. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 15-16, 26-28, 30-32, 34-36, 38, 40-41, 43, and 45-48 stand rejected under 35 USC § 103(a) as being unpatentable over *Delano* (U.S. Patent Number 4,100,968) in view of WO 98/11322. Claims 33, 37 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Delano* in view of WO 98/11322 as applied to claims 31 and 32 above, and further in view of *Boyadejeff* and *Albright et al.*

Applicant respectfully traverses the rejection of claims 15, 16, 26-28, 30-33, 34, 35, 37-41, 43, and 45-48. *Delano* does not teach at least one piston which is radially displaceable or extendable due to fluid pressure or a plurality of pistons which are radially displaceable or extendable from a plurality of recesses due to fluid pressure. Rather, with respect to the slips section 44 as shown in Figure 3, *Delano* teaches camming the gripping elements 126, 128 outwardly by generally frustoconical sections 124 on the body 116. See *Delano*, col. 4, Ins. 51-54. Further, with respect to the tongs section 46 as shown in Figure 4, *Delano* teaches radially advancing the tong dies 168, 170 by relative rotation of the body 160 and cam 180 relative to the tong dies 168, 170. See *Delano*, col. 5, Ins. 22-28 and col. 6, Ins. 11-16.

Moreover, WO 98/11322 does not teach at least one piston which is radially displaceable or extendable due to fluid pressure or a plurality of pistons which are radially displaceable or extendable from a plurality of recesses due to fluid pressure. The catcher 11 of WO 98/11322 includes a preshaped bellows 15 made of elastic material surrounding a pipe member 10, and the bellows 15 is expanded by supplying

pressurized liquid or gas through the pipe 19. See WO 98/11322, Figure 6 and page 6, Ins. 4-22. Therefore, the catcher 11 of WO 90/11322 is not a piston, but is instead an expandable elastic element.

Because neither *Delano* nor WO 98/11322 teaches, shows, or suggests at least one gripping piston which is radially displaceable or extendable from at least one recess due to fluid pressure or a plurality of gripping pistons radially displaceable or extendable from a plurality of recesses due to fluid pressure, the references in combination cannot be used to reject claims 15-16, 26-28, 30-41, 43, and 45-48 as unpatentable under 35 USC § 103(a). Specifically, neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests an apparatus for connecting tubulars using a top drive, comprising a body connectable to the top drive; a plurality of rigid gripping pistons radially displaceable by hydraulic or pneumatic fluid directly applied to an inner surface of each gripping piston to drivingly engage a tubular to permit a screw connection between the tubular and a further tubular to be tightened to a required torque, the plurality of gripping pistons disposed within the body in substantially the same axial plane with one another; and a sealing packer to inhibit, in use, fluid in the tubular from escaping therefrom, as recited in claim 15 and its dependent claims 16 and 40.

Additionally, neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests an apparatus for connecting tubulars, comprising a top drive; a body connectable to the top drive; and at least one recess disposed within an outer surface of the body, wherein the at least one recess houses at least one gripping element, wherein the at least one gripping element is at least one piston radially displaceable outward from the at least one recess by fluid applied to an inner surface thereof to engage a first tubular, as recited in claim 26 and its dependent claims 27-28, 30, and 41. Moreover, neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests an apparatus for connecting tubulars, comprising a top drive; a body having a first and second section; a plurality of recesses disposed within an outer diameter of the second section and disposed in substantially the same axial plane with one another; and a rigid gripping element disposed within each recess, wherein each gripping element is a piston radially

extendable from its respective recess with pressurized hydraulic or pneumatic fluid directly applied to its inner surface, as recited in claim 31 and its dependent claims 32-35. Also, neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests an apparatus for connecting tubulars using a top drive, comprising a body connectable to the top drive; a plurality of rigid pistons disposed in substantially the same axial plane and radially displaceable from a plurality of recesses within the body by pressurized fluid directly applied to an inner surface thereof, the plurality of pistons gripping a tubular torsionally to tighten a screw thread on the tubular and gripping the tubular axially to carry the weight of the tubular; and a sealing packer to prohibit pressurized fluid in the tubular from escaping therefrom, as recited in claim 36 and its dependent claims 37.

Applicant further submits that neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests an apparatus for connecting tubulars using a top drive, comprising a body connectable to said top drive; a plurality of rigid, fluid-actuated pistons disposed within a plurality of recesses within an outer surface of the body in substantially the same axial plane with one another; a fluid communication path for delivering fluid pressure directly to the inner surfaces of the plurality of fluid-actuated pistons, the fluid pressure radially displacing the plurality of fluid-actuated pistons to grip an inner surface of a tubular; and a sealing packer to prohibit pressurized fluid in the tubular from escaping therefrom, as recited in claim 38 and its dependent claims 39 and 43. Finally, neither *Delano* nor WO 98/11322, alone or in combination with one another, teaches, shows, or suggests a method for manipulating tubulars, comprising providing a gripping apparatus comprising a body having at least one recess therein, and at least one gripping piston disposed within the at least one recess; radially displacing the at least one gripping piston to grippingly engage an inner surface of a tubular by introducing pressurized fluid behind the at least one gripping piston; and rotating the tubular with a top drive connected to the body, as recited in claim 45 and its dependent claims 46-48. Accordingly, Applicant respectfully requests allowance of claims 15, 16, 26-28, 30-41, 43, and 45-48.

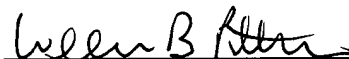
New claims 51-54 depend from claim 45, and new claims 55-58 depend from claim 26. Therefore, Applicant respectfully submits that new claims 51-58 are allowable

for at least the same reasons as claims 45 and 26 are allowable, as stated above. Applicant thus respectfully requests allowance of claims 51-58.

Claims 42 and 44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten claim 42 in substantially the same form as new claim 49 and rewritten claim 44 in substantially the same form as new claim 50. Applicant therefore requests allowance of new claims 49-50.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests allowance of the claims.

Respectfully submitted,



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